

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Courtney Lee Dunn

Docket No. 5:09-CR-293-1FL

Petition for Action on Supervised Release

COMES NOW Linwood E. King, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Courtney Lee Dunn, who, upon an earlier plea of guilty to Possession of a Firearm and Ammunition by a Convicted Felon, in violation of 18 U.S.C. §§ 922(g)(1) and 924, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on June 9, 2010, to the custody of the Bureau of Prisons for a term of 108 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Courtney Lee Dunn was released from custody on November 16, 2017, at which time the term of supervised release commenced.

On April 4, 2018, the court was notified of the defendant testing positive for the use of cocaine. The defendant's supervision was continued without modification.

On August 23, 2018, the court was notified of the defendant testing positive for the use of cocaine. The defendant's supervision was continued without modification.

On December 20, 2018, the court was notified of the defendant attending a substance abuse treatment session after consuming alcohol. The court modified his conditions of release to include participation in a cognitive behavioral program.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On June 16, 2019, Dunn was observed driving away from a bar establishment in downtown Raleigh, North Carolina, and Officer D.P. Palyok with the Raleigh Police Department conducted a traffic stop of the defendant's vehicle. A subsequent breathalyzer test resulted in a .26 BAC reading for Dunn. The defendant was ultimately charged with Driving While Impaired (19CR211075), and this case remains pending in Wake County District Court, Raleigh, North Carolina. Dunn is currently enrolled in substance abuse treatment sessions and cognitive behavioral classes through First Step Services, Raleigh, North Carolina, and we would recommend he be allowed to continue in same. To address this non-compliant behavior, and in an effort to monitor Dunn's movement more closely, we are recommending that the defendant adhere to a curfew utilizing Location Monitoring technology for a period of 60 days.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 60 consecutive days. The defendant is restricted to their residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/Dewayne L. Smith
Dewayne L. Smith
Supervising U.S. Probation Officer

/s/Linwood E. King
Linwood E. King
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8682
Executed On: July 9, 2019

ORDER OF THE COURT

Considered and ordered this 11th day of July, 2019, and ordered filed and
made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge